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Crl.M.P No.1799 of 2025 in
Crl.A.No.152 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.No.1799 of 2025
in
Crl.A.No. 152 of 2025

Nateshkumar@Natesan

.... Petitioner

Vs

The State rep. By
Inspector of Police,
All Women Police Station,
Perambalur

.... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence imposed on the petitioner in Spl.S.C.No.48 of 2020 dated 05.09.2024 on the file of the Mahila Court, Perambalur

For Petitioner : Mr.R.Prabakar

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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ORDER

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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed in Spl.S.C.No.48 of 2020 dated 05.09.2024 on the file of the Mahila Court, Perambalur and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

2. The petitioner herein is the accused in Spl.S.C.No.48 of 2020 on the file of the Mahila Court, Perambalur. He was found guilty of the offence under Section 7 r/w 8 of POCSO Act and directed to undergo 5 years rigorous imprisonment and to pay fine of Rs.50,000/-, in default to undergo one year rigorous imprisonment. Aggrieved by the same, the present appeal has been filed.

3. The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal appeal and the petitioner/accused has got a fair chance of succeeding in the Criminal Appeal and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He would submit that the petitioner is ready to abide any condition to be imposed by this Court.



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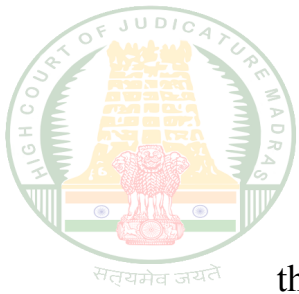
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4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor for the respondent also perused the materials placed on record.

5. Considering the submissions of the learned counsel for the petitioner, coupled with the quantum of punishment imposed upon the petitioner and taking into consideration the fact that this criminal appeal is not likely to be taken for final hearing in the near future, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions. Accordingly, till the disposal of the Criminal Appeal, the reliefs of suspension of sentence and bail are granted on the following conditions:

(i) On the petitioner depositing the amount as stated clause (i) supra, the sentence of imprisonment alone, imposed on the petitioner/accused, shall be suspended, on his execution of a bond for a sum of Rs.25,000/- with two **Blood Relative sureties**, each for a likesum to the satisfaction of the trial court;

(ii) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and



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the trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity;

(iii) The petitioner shall appear before the Trial Court daily at 10.30 a.m., for a period of thirty days and thereafter, on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the revision petition and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 355 of BNSS, 2023 and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court;

6. With the above directions, this Criminal Miscellaneous Petition is ordered.

07.08.2025
(2/2)

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

ssd



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G.K.ILANTHIRAIYAN, J.

ssd

To

1. The Mahila Court, Perambalur
2. The State rep. By
Inspector of Police,
All Women Police Station,
Perambalur
3. The Public Prosecutor,
High Court, Madras

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